

1 **Rule 10-1-404. Attendance and assistance of prosecutors in criminal proceedings.**

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3 **Intent:**

4 To establish the responsibility of the prosecutor's office to attend criminal proceedings and to  
5 assist the court in the management of criminal cases.

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7 **Applicability:**

8 This rule shall apply to the Fourth District Court.

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10 **Statement of the Rule:**

11 (1) The prosecutor's office shall assist the court with criminal cases by attending the following  
12 court proceedings:

13 (A) felony first appearance hearings;

14 (B) arraignments on informations;

15 (C) sentencings.

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17 (2) The prosecutor in attendance shall be prepared to provide the court with information relevant  
18 to setting monetary bail and sentencing, including criminal history, and the factual basis for the  
19 offense charged.

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21 (3) Unless specifically requested by the court, the prosecutor is not required to attend  
22 arraignments or sentencings for misdemeanants prosecuted on citations.

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24 *Effective: November 1, 2020*